

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action mailed August 13, 2003. Applicants respectfully request reconsideration of the present application.

Claims 8-44 are pending. Claims 1-7 and 45-76 are canceled. Claims 1 and 19 have been amended. New claims 77-90 have been added. Therefore, claims 8-44 and 77-90 are presented for examination.

Claim 19 is objected to because of the following informalities: in the Clean-copy Version of Claims, claim 19 depends on itself. Applicants have amended claim 19 for proper dependency.

Examiner rejected claims 8-14, 16, 19, 26-39, 41-44 under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,157,735 issued to Holub. Examiner rejected claims 15, 17-18, 20-25, 40 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,157,735 issued to Holub in view of U.S. Patent 6,008,836 issued to Bruck, et al.

Holub is designed to allow various nodes to perform page proofing prior to printing. Each node is enabled to see a properly corrected and precise image. Holub specifically uses color measurement instruments (CMI) (Holub, column 12, lines 8-14). The CMIs of Holub generally consist of colorimeters of various types. (Holub, column 14, line 62 to column 15, line 15).

Claim 8, as amended, recites:

A method for determining and calibrating color display characteristics of a remote user's display so as to be able to provide color corrected images to the user over a network, comprising the steps of:

remotely calibrating the remote user's display based solely on user feedback without using calibration devices, by performing substeps of:

receiving a request at a server for characterizing the remote user's display;

transferring images selected to assist with remote calibration of the remote user's display to the remote user's display upon initiation of color display characterization, said server functioning to permit multiple image providers to provide color corrected images to the user for determining and calibrating color display characteristics of different displays;

processing choice data provided by the user in response to the test images to determine color display characteristics of the remote user's display; and

automatically notifying the user when a particular image being displayed is color corrected in accordance with said calibration.

(Claim 8, as amended, emphasis added). Holub does not teach or suggest processing choice data provided by a user in response to test images. Holub specifically teaches away from "calibrating the remote user's display based solely on user feedback without using calibration devices" as recited in claim 8. Therefore, claim 8, and claims 9-44 which depend on it, are not anticipated by or obvious over Holub.

Newly added claim 77 recites:

A method of providing color corrected images on a client computer comprising:

calibrating the client computer by:

sending a plurality of test images to the client computer;

prompting a user at the client computer to indicate color differences between the test images; and

calculating a correction to be applied to images based on the user responses to the test images;

receiving images from third parties; and

applying the correction to the images, to provide color corrected images.

(Claim 77). As noted above, Holub does not teach or suggest calculating a correction to be applied to images based user responses to images. Rather, Holub uses

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calibration hardware, not user responses, to determine a correction. Therefore, claim 77, and claims 78-83 which depend on it, are not anticipated by or obvious over Holub.

Newly added claim 84 recites:

An apparatus comprising:
a client computer including a display to display images to a user;
a color calibration mechanism including
the display to display a plurality of test images to a user;
a user interface to receive choice data from the user, the choice data indicating responses of the user to the plurality of test images;
and
a characterization program to take the choice data and create a characterization file, characterizing the display.

(Claim 84). As noted above, Holub does not teach or suggest a user interface to receive choice data indicating responses of the user to the plurality of test images, nor a characterization to take choice data and create a characterization file. Therefore, claim 84, and claims 85-90 which depend on it, are not anticipated by or obvious over Holub.

Some claims were rejected over the combination of Holub and Bruck. Bruck discusses web browser software that allows the user to adjust picture quality. However, Bruck discusses basic color control. The Bruck reference does not teach or suggest adjustment to true color, which is the subject of Holub and the present invention. Rather, basic color correction simply ensures that reds are red, and greens are green. This is fundamentally different from adjusting to "true color" which distinguishes between various shades. This distinction is discussed in the Background section of the present application as well as in the Holub reference. Therefore, it is not logical to combine Bruck with Holub.

Furthermore, even in combination Holub and Bruck do not make the present invention obvious. The references, in combination, do not teach or suggest presenting a plurality of test images, and in response to user choices, creating a color correction.

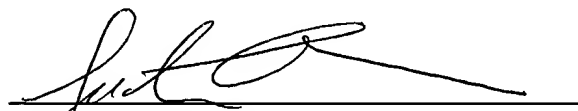
In view of the foregoing amendments and remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Judith A. Szepesi at (408) 720-8598.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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